



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF STATE COUNSEL
LITIGATION BUREAU

September 8, 2020

By ECF

The Honorable P. Kevin Castel
United States District Judge
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

**Re: *Ent Int'l Realty Corp., et al., v. Cuomo, et al.*, 20-cv-4277 (PKC)
Unopposed Motion to Dismiss**

Dear Judge Castel:

The New York State Office of the Attorney General represents the Governor of the State of New York ("Governor Cuomo") in connection with this matter. I write to respectfully request that the Court deem Governor Cuomo's motion to dismiss as unopposed and fully submitted for decision.

On August 7, 2020, pursuant to the briefing schedule set by the Court, (ECF No. 22), Governor Cuomo filed a motion to dismiss and opposition to Plaintiffs' motion for a preliminary injunction. (ECF Nos. 31-33). The New York City Defendants filed similar briefing on that same date. (ECF Nos. 28-30). Plaintiffs' opposition to the motions to dismiss and reply in support of their motion for a preliminary injunction was due on August 28, 2020, but they have failed to file or serve an opposition or any further briefing. For that reason, Governor Cuomo respectfully requests that his motion to dismiss be deemed unopposed and fully submitted for decision.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ Owen T. Conroy

Owen T. Conroy
Assistant Attorney General

cc: All counsel of record (via ECF)